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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/711,777	11/09/2000	Robert D. Hayes	YOR920000503US1/IBM-0010	3454
23413	7590	06/30/2004	EXAMINER	
CANTOR COLBURN, LLP			COLON, CATHERINE M	
55 GRIFFIN ROAD SOUTH			ART UNIT	
BLOOMFIELD, CT 06002			PAPER NUMBER	

3623

DATE MAILED: 06/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/711,777

Applicant(s)

HAYES ET AL.

Examiner

C. Michelle Colon

Art Unit

3623

Nll

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-83 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-83 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2</u> . | 6) <input type="checkbox"/> Other: _____  |

Art Unit: 3623

### **DETAILED ACTION**

1. The following is a Non-Final Office Action in response to the communication received on November 9, 2000. Claims 1-83 are now pending in this application.

#### ***Information Disclosure Statement***

2. The examiner has reviewed the patents and publications supplied in the Information Disclosure Statement (IDS) provided on March 30, 2000.

#### ***Examiner Comment***

3. The invention of the instant application is essentially a computer-based system for gathering product and technology information from suppliers and disseminating the information to procurement/product development engineers. The procurement/product development engineers access the supplier and product data via a network, where the procurement and product development engineers reside on one system and the supplier and product data reside on another. Suppliers also access the supplier and product data to perform updates. Likewise, Aycock et al. (U.S. 5,765,138) discloses a system in which purchasing agents access supplier and product information from a business system via a communications network, where the supplier and product databases reside on another main processing system. In the invention of Aycock et al., both purchasing agents and suppliers access the supplier and product information in the main processing system.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-14, 16, 17, 19-36, 38-61, 63, 64, 66-83 are rejected under 35 U.S.C. 102(b) as being anticipated by Aycock et al. (U.S. 5,765,138).

As per claim 1, Aycock et al. discloses a method for facilitating product development and procurement functions in a communications network environment, comprising:

receiving a request from a first enterprise system to contact a web site maintained by a second enterprise system, said second enterprise system authenticating a user ID and password of a user of said first enterprise system (col. 10, lines 17-42 and 49-67; Figure 2; The system provides users at a first business system (items 70 and 74 in Figure 2) with access to a second main system (item 68 in Figure 2) via a communications network. Users are granted proper access codes to enter the main processing system. Users are either suppliers or procurement agents that access the supplier and product data.);

receiving a request to initiate an activity, said activity provided by said second enterprise system among a plurality of activity options (col. 10, lines 29-33; Figure 2; The main processing system receives a request from a user (i.e.,

Art Unit: 3623

purchasing/procurement agent or supplier) to access various products and requirements data.);

said second enterprise system retrieving data from at least one data storage device, said data corresponding to said activity selected and transmitting said data to said first enterprise system (col. 9, line 21-col. 10, line 17; The main processing system contains requirements, vendor and products databases that are used to store and retrieve data.);

wherein said second enterprise system includes a development toolkit network tool for executing product development and procurement activities (col. 7, lines 56-59; col. 9, line 3-col. 10, line 67; The main processing system enables users such as purchasing/procurement agents to access and evaluate data on various suppliers and products of different types to meet certain project/product requirements. Additionally, the system allows suppliers and products to be compared as part of the evaluation.).

As per claim 2, Aycok et al. discloses the method of claim 1, wherein said activity includes:

replicating a database associated said second enterprise system resulting from a request to view a survey and providing access to said database (col. 12, line 57-col. 13, line 14; The system uses local and remote databases to access certain data. Data is uploaded from the local database to the remote database.);

displaying a list of surveys, said surveys previously completed by said first enterprise system, retrieving one of said surveys from said database in response a request to view said one of said surveys and displaying said survey (col. 11,

Art Unit: 3623

line 10-col. 12, line 66; Figure 3; The user can retrieve and view supplier, vendor and product surveys from the databases.).

As per claim 3, Aycock et al. discloses the method of claim 2, further comprising:

receiving a request to select a survey type from a list of survey type options, retrieving a survey form from said database, said survey form corresponding to said survey type, transmitting said survey form to said first enterprise system, receiving response data solicited in said survey form, storing said survey form in said database and associating said survey form with a technical representative of said second enterprise system (col. 9, lines 3-67; Figures 2 and 3; The user can access supplier self-evaluation surveys as well as other vendor and product capability and performance evaluations from their respective databases.).

As per claim 4, Aycock et al. discloses the method of claim 3, further comprising receiving an attached file with said survey form (col. 12, lines 14-67; col. 13, lines 5-12; Suppliers can attach their RFP/RFQ responses to the survey form).

As per claim 5, Aycock et al. discloses the method of claim 3, wherein said storing said survey form includes storing said survey form in a draft mode at said second enterprise system (col. 9, lines 3-67; Figures 2 and 3).

As per claim 6, Aycock et al. discloses the method of claim 5, wherein said storing said survey form in said draft mode includes making available

Art Unit: 3623

said survey form to said second enterprise system (col. 12, line 57-col. 13, line 61).

As per claim 7, Aycock et al. discloses the method of claim 3, wherein said storing said survey form includes storing said survey form in a final mode at said second enterprise system (col. 13, lines 5-12; Once the surveys are deemed complete, they are uploaded to the databases for storage and subsequent user access.).

As per claim 8, Aycock et al. discloses the method of claim 7, wherein said storing said survey form in said final mode includes:

causing a notification to be transmitted to a representative of said second enterprise system and making available said survey form to said second enterprise system (col. 11, line 63-col. 12, line 27; Suppliers are notified when an RFP/RFQ is submitted. Surveys are made available to suppliers responding to RFPs/RFQs.).

As per claim 9, Aycock et al. discloses the method of claim 3, further comprising:

receiving a request to access a stored survey form from said database, retrieving said stored survey form from said database, transmitting said stored survey form to said first enterprise system, said first enterprise editing said stored survey form, and storing said survey form in said database (col. 13, lines 49-61; Suppliers access stored surveys to edit them.).

As per claim 10, Aycock et al. discloses the method of claim 9, wherein said editing is in a draft mode (col. 13, lines 49-61).

Art Unit: 3623

As per claim 11, Aycock et al. discloses the method claim 9, wherein said transmitting said survey form includes replicating said database to said second enterprise system and designating said survey form as a new entry (col. 14, lines 9-21).

As per claim 12, Aycock et al. discloses the method of claim 9, wherein said storing said survey form includes storing said survey form in a final mode (col. 14, lines 9-21).

As per claim 13, Aycock et al. discloses the method of claim 12, wherein said storing said survey form in said final mode causes a notification to be transmitted to a representative of said second enterprise system (col. 14, lines 9-21; The supplier is prompted as whether to continue with the survey form or to store the survey form.).

As per claim 14, Aycock et al. discloses the method of claim 1, wherein said communications network environment includes an extranet (col. 10, lines 17-23; Figure 2).

As per claim 16, Aycock et al. discloses the method of claim 1, wherein said user is supplier (col. 3, lines 62-64; col. 9, lines 3-21).

As per claims 22 and 23, Aycock et al. discloses the method of claim 17, wherein said entering said data includes rating said supplier survey, and wherein said rating includes providing markings to said survey, said markings designating a preferred status (abstract; col. 2, line 60-col. 3, line 35; col. 6, line 55-col. 7, line 13; Suppliers are scored and weighted.).



***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 15, 18, 37, 62, 65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aycock et al. (U.S. 5,765,138).

As per claim 15, Aycock et al. does not expressly disclose the method of claim 1, wherein said authenticating said user ID and said password is accomplished via a firewall. However, firewalls are old and well known security schemes for preventing outside and unauthorized access into a network. Additionally, Aycock et al. does disclose providing users with access codes to enter the system (col. 10, lines 55-67). Thus, at the time of the invention, it would have been obvious to a person of ordinary skill in the art for the system of Aycock et al. to implement a firewall since the system of Aycock et al. already demonstrates security concerns by using access codes to ensure only authorized users have access to data within the system. A firewall would further enhance the system of Aycock et al.'s security.

As per claim 18, Aycock et al. does not expressly disclose the method of claim 17, wherein said receiving said notification is via an electronic mail. However, the system of Aycock et al. discloses using a communication network for different parties' accessing and submitting of data (abstract). Additionally,

Art Unit: 3623

electronic mail is an old and well known form of communication via a network. Thus, at the time of the invention, it would have been obvious to a person of ordinary skill in the art for the system of Aycock et al. to send notifications via email since email is old and well known and provides users with an efficient means of communication.

The limitations of claims 17, 19-21 and 24-83 are substantially similar to those recited in claims 1-16, 18, 22 and 23. As such, claims 17, 19-21 and 24-83 are rejected based on the same reasoning applied to claims 1-16, 18, 22 and 23 above.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Reisman (U.S. 6,611,862) discusses a user station software that controls presentation of content from a remote source;
- Thackston (U.S. 6,295,513) discusses a virtual collaborative environment for the design and development of a product;
- Zellweger (U.S. 5,630,125) discusses information management using a hierarchical data structure;
- Gustman et al. (U.S. 6,574,638) discusses cataloguing multimedia using surveys;
- Lang (U.S. 6,704,740) discusses analyzing product performance data;

Art Unit: 3623

- Wolin (U.S. 6,751,600) discusses automatic categorization of items;
- Call (U.S. 6,154,738) discusses disseminating product information via the Internet;
- Reisman (U.S. 5,694,546) discusses electronic information transport between a server and a client; and
- Reisman (U.S. 6,125,388) discusses information transport between a server and multiple remote clients.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Michelle Colon whose telephone number is 703-605-4251. The examiner can normally be reached Monday – Friday from 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz, can be reached at 703-305-9643.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Any response to this action should be mailed to:

***Commissioner of Patents and Trademarks***

***Washington D.C. 20231***

or faxed to:

703-872-9306

[Official Communications; including After Final  
communications labeled "Box AF"]

Art Unit: 3623

703-746-7202 [For status inquiries, draft communication,  
labeled "Proposed" or "Draft"]

Hand delivered responses should be brought to Crystal Park 5, 2451  
Crystal Drive, Arlington, VA 7<sup>th</sup> floor receptionist.



cmc

June 27, 2004



**TARIQ R. HAFIZ**  
**SUPERVISORY PATENT EXAMINER**  
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